



STATE OF INDIANA

Request for Proposal 19-047

INDIANA DEPARTMENT OF ADMINISTRATION

**On Behalf Of
Indiana Gaming Commission**

**Solicitation For:
Gaming Laboratory Certification Testing Services**

Response Due Date: February 22, 2019 by 3:00 PM EST

Arthur L. Sample IV, Strategic Sourcing Analyst
Indiana Department of Administration
Procurement Division
402 W. Washington St., Room W468
Indianapolis, Indiana 46204

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SECTION ONE

GENERAL INFORMATION AND REQUESTED PRODUCTS/SERVICES

1.1 INTRODUCTION

In accordance with Indiana statute, including IC 5-22-9, the Indiana Department of Administration (IDOA), acting on behalf of the Indiana Gaming Commission (“IGC”) requires the services of one or more independent gaming laboratories for the testing of electronic gaming-related equipment, technology, and devices for the IGC. It is the intent of IDOA to solicit responses to this Request for Proposals (RFP) in accordance with the statement of work, proposal preparation section, and specifications contained in this document. This RFP is being posted to the IDOA website (<http://www.IN.gov/idoa/2354.htm>) for downloading. A nominal fee will be charged for providing hard copies. Neither this RFP nor any response (proposal) submitted hereto are to be construed as a legal offer.

1.2 DEFINITIONS AND ABBREVIATIONS

Following are explanations of terms and abbreviations appearing throughout this RFP. Other special terms may be used in the RFP, but they are more localized and defined where they appear, rather than in the following list.

| | |
|----------------------------|---|
| Award Recommendation | IDOA’s summary to the agency being supported, typically in letter format, of the solicitation and suggestion on vendor selection for the purposes of beginning contract negotiations. |
| IAC | Indiana Administrative Code |
| IC | Indiana Code |
| Contract Award | The acceptance of IDOA’s Award Recommendation by the agency being supported in conjunction with the public posting of the Award Recommendation. |
| VSC | Valuable Scope Contribution – A business function that supports the scope of this solicitation |
| Full Time Equivalent (FTE) | The State defines FTE as a measurement of an employee's productivity when executing the scope of work in this RFP for a specific project or contract. An FTE of 1 would mean that there is one worker fully engaged on a project. If there are two employees each spending 1/2 of their working time on a project that would also equal 1 FTE |
| Implementation | The successful implementation of the services as specified in the contract resulting from this RFP |
| Installation | The delivery and physical setup of products or services requested in this RFP |

| | |
|-------------------------|--|
| Other Governmental Body | An agency, a board, a branch, a bureau, a commission, a council, a department, an institution, an office, or another establishment of any of the following: 1) The judicial branch 2) The legislative branch 3) A political subdivision (includes towns, cities, local governments, etc.) 4) A state educational institution |
| Products | Tangible goods or manufactured items as specified in this RFP |
| Proposal | An offer as defined in IC 5-22-2-17 |
| Respondent | An offeror as defined in IC 5-22-2-18. The State will not consider a proposal responsive if two or more offerors submit a joint or combined proposal. One entity or individual must be clearly identified as the respondent who will be ultimately responsible for performance of the contract |
| Services | Work to be performed as specified in this RFP |
| State | The State of Indiana |
| State Agency | As defined in IC 4-13-1, “state agency” means an authority, board, branch, commission, committee, department, division, or other instrumentality of the executive, including the administrative, department of state government |
| Total Bid Amount | The amount that the respondent proposes on Attachment D that represents their total, all-inclusive price. |
| Vendor | Any successful respondent selected as a result of the procurement process to deliver the products or services requested by this RFP |

1.3 PURPOSE OF THE RFP

The purpose of this RFP is to select a vendor that can satisfy the State’s need for an Authorized Independent Gaming Laboratory. It is the intent of the IGC to contract with a vendor that provides quality comprehensive, accurate, and consistent gaming laboratory Certification Testing Services for the IGC.

1.4 SUMMARY SCOPE OF WORK

The IGC seeks the services of at least one Vendor to perform independent gaming laboratory services that can comply with, including but not limited to, the following:

- For the duration of its contract, respondent and Affiliate thereof, shall: (1) promptly disclose to the Executive Director, any contract with or services provided to a Supplier Licensee; (2) gain advance approval from the Executive Director before contracting with or providing services to any Casino Licensee; and (3) at all times maintain a level of independence that is adequate to conduct Certification Testing on behalf of the IGC, free of any conflicts of interest as determined by the Executive Director.
- During the duration of its contract with the State, respondent, and any Affiliate thereof, shall: (1) not knowingly conduct Noncertification Testing on items or technologies that have already undergone Noncertification Testing by a different Authorized Independent Gaming Laboratory; and (2) develop and implement reasonable procedures to ensure the same.
- Respondent must have experience providing Certification Testing services, or a substantial equivalent, for at least two (2) gaming regulatory agencies in jurisdictions with commercial casinos since January 1, 2007.
- Provide a complete list of state gaming regulatory agencies in jurisdictions with commercial casinos that Respondent or any of Respondents' Affiliates have contracted with or provided services to since January 1, 2007. Include dates of the contracts and/or services and a brief description of the scope of work for each.
- Maintain the ability to conduct any and all Certification Testing at a properly equipped laboratory located within the United States that maintains current International Organization for Standardization (ISO)(17020 and 17025) certification. Provide proof that the respondent's United States laboratories maintain these certifications.
- Respondent will provide IGC staff, upon request, with a complete explanation of any of the Respondent's technical standards, test scripts, and/or Certification Testing results at no charge to the IGC.
- Respondent must be willing to undergo continuous accuracy and effectiveness monitoring and evaluation by the IGC if deemed necessary by the Executive Director, and that respondent will provide all related documents and information to IGC staff upon request.
- All tasks and responsibilities directly or indirectly required to perform comprehensive, accurate, and consistent Certification Testing pursuant to and in accordance with 68 IAC 2-6 and 68 IAC 2-6.5
- Independently develop, maintain, and utilize up-to-date technical standards for any and all items and technologies requiring Certification Testing and ultimate IGC approval under 68 IAC 2-6 and 68 IAC 2-6.5.

- Independently develop, maintain, and utilize up-to-date test scripts to accurately determine whether an item or technology comports with technical standards adopted by the Vendor as well as applicable Indiana laws and regulations.
- Upon request, provide IGC staff with unrestricted access to all technical standards and test scripts developed by the Vendor.
- Upon request, provide IGC staff with a complete explanation of any of Vendor's technical standards, test scripts, and/or Certification Testing results at no charge to the IGC.
- Maintain internal policies and procedures to track and measure both the accuracy and the effectiveness of Vendor's technical standards and test scripts. Be willing to share all such data with IGC staff upon request. At all times be subject to potential accuracy and effectiveness monitoring and evaluation by the IGC.
- Conduct any and all Certification Testing functions in a comprehensive, accurate, and timely manner. In all instances where software is being tested, conduct complete source code analysis. In networked gaming environments, also perform ongoing output-based total game transaction review testing, where appropriate and approved by IGC staff. When necessary, conduct system-to-system, game-to-system, and intra-device interoperability testing for compliance with Gaming Standards Association (GSA) protocols.
- Conduct any applicable Certification Tests as related to any and all sports wagering platforms.
- Upon completion of Certification Testing, prepare and deliver comprehensive Indiana-specific written reports in the form and manner requested or authorized by IGC staff.
- Upon certification of the gaming equipment, provide a unique identification code or signature utilizing an industry-accepted means for generating such unique identification codes or signatures. The unique identification code or signature and the means for generating such codes or signatures shall be included in all documents, reports, and databases required herein.
- Provide IGC staff with step-by-step procedures for each tool and/or mechanism used to verify the unique identification code or signature.
- Upon request, perform on-site audits of technologies, including, but not limited to: electronic gaming devices, sports wagering platforms, surveillance systems, mobile gaming devices, wired network and wireless technology, servers, and networks.
- Upon request, perform network penetration testing for gaming technologies including, but not limited to: mobile gaming devices, surveillance systems, wired network and wireless technology, servers, and networks.
- Maintain the ability to analyze/ independently develop testing for new technologies.

- Upon request, provide IGC staff with flow diagrams/charts of each system (and its associated hardware/software) certified by the Vendor, depicting the inter-relationship of such system components. This documentation will be provided in addition to the reports that specifically describe which elements of the system components are to be field tested and verified by the IGC upon installation at an Indiana casino.
- Maintain a comprehensive database of items and technologies that have been the subject of Certification Testing by the Vendor. Database should be capable of tracking which items and technologies are or are not ultimately approved for use in Indiana by the IGC.
- Provide ongoing testing and general regulatory assistance/support for items and technologies previously certified by Vendor and approved by the IGC for use in Indiana. Maintain at Vendor's place of business all hardware and software necessary to provide such assistance/support.
- Provide a twenty-four (24) hours per day, seven (7) days per week, customer support/regulatory compliance contact for IGC staff. The Vendor shall provide technical responses within (12) hours after call receipt.
- Unless otherwise specified herein, furnish all material, labor, facilities, equipment, supplies, tools, machinery, and storage of the same necessary to perform the services required herein.
- Provide IGC staff with online access, via secure communication protocol, to the laboratory's database of reports and documents generated pursuant to the requirements stated herein. Maintain a quality assurance mechanism to ensure uniform data and data entry processes.
- The Vendor's online database shall allow the IGC to view reports on all certified/uncertified, approved/disapproved, obsolete, and revoked gaming equipment for Indiana. The reports must be current as of the end of the previous business day. The obsolete and revoked reports must contain date of action and most current replacement software. It shall be the responsibility of the Vendor to prepare the report in whatever format the IGC requires to be able to integrate this report with other Vendors.
- Provide all services using competent and properly trained personnel in accordance with the highest testing standards of the gaming industry. Vendor shall, at a minimum, employ personnel in the discipline of mathematics, engineering (mechanical, electrical, software), systems and communication protocol, compliance and quality assurance, and field inspections.
- Maintain a staff of quality assurance professionals that is adequate to afford appropriate separation of responsibilities and independent work product verification of Certification Testing.
- Upon request by IGC staff, provide a summary report of any and all invoices directly billed to licensees for Certification Testing. The report shall include the following:
 - Date on which the submission was received by Vendor
 - Date rejected, withdrawn, or certified
 - Invoice number and date

- Name of the casino licensee, supplier licensee, or other entity or individual for whom the services were rendered
 - Billable hours
 - Hourly rates
 - Invoice total
 - Any other information requested by the IGC.
- Maintain adequate resources and expertise to serve as the IGC's Authorized Independent Gaming Laboratory.

Spending under this contract will be directly dependent on IGC licensee demand for certifications. In aggregate, spending under this contract is estimated to be \$250,000 to \$750,000 over the life of the contract. Since this number is based on past usage and may fluctuate up or down, the State is not in a position to guarantee that future spending will be at these levels. Nevertheless, this amount is provided as an aid to suppliers in responding to this RFP.

These figures are only an estimate and are not to be construed as an amount to be offered under this RFP. **However, when completing Minority and Women's Business Enterprises Participation Plan Form (Attachment A), the Indiana Economic Impact Form (Attachment C) and Indiana Veterans' Participation Plan Form (Attachment A1) please use the total bid amount from the Cost Proposal (Attachment D).**

1.5 RFP OUTLINE

The outline of this RFP document is described below:

| Section | Description |
|--|--|
| Section 1 – General Information and Requested Products or Services | This section provides an overview of the RFP, general timelines for the process, and a summary of the products/services being solicited by the State/Agency via this RFP |
| Section 2 – Proposal Preparation Instruction | This section provides instructions on the format and content of the RFP including a Letter of Transmittal, Business Proposal, Technical Proposal, and a Cost Proposal |
| Section 3 – Proposal Evaluation Criteria | This sections discusses the evaluation criteria to be used to evaluate respondents' proposals |
| Attachment A | M/WBE Participation Plan Form |
| Attachment A1 | IVOSB Participation Plan Form |
| Attachment B | Sample Contract |
| Attachment C | Indiana Economic Impact Form |
| Attachment D | Cost Proposal |

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|--------------|--------------------|
| Attachment E | Business Proposal |
| Attachment F | Technical Proposal |
| Attachment G | Q&A |

1.6 PRE-PROPOSAL CONFERENCE

A pre-proposal conference will be held on **January 16, 2019 at 1:30 PM in Indiana Government Center South Conference Center Room D**. At this conference, potential respondents may ask questions about the RFP and the RFP process. Respondents are reminded that no answers issued verbally at the conference are binding on the State and any information provided at the conference, unless it is later issued in writing, also is not binding on the State.

1.7 QUESTION/INQUIRY PROCESS

All questions/inquiries regarding this RFP must be submitted in writing by the deadline of **3:00 p.m. Eastern Time on January 23, 2019**. Questions/Inquiries may be submitted in Attachment G, Q&A Template, via email to rfp@idoa.IN.gov and must be received by the time and date indicated above.

Following the question/inquiry due date, Procurement Division personnel will compile a list of the questions/inquiries submitted by all Respondents. The responses will be posted to the IDOA website according to the RFP timetable established in Section 1.24. The question/inquiry and answer link will become active after responses to all questions have been compiled. Only answers posted on the IDOA website will be considered official and valid by the State. No Respondent shall rely upon, take any action, or make any decision based upon any verbal communication with any State employee.

Inquiries are not to be directed to any staff member of the IGC, or any other participating agency. Such action may disqualify Respondent from further consideration for a contract resulting from this RFP.

If it becomes necessary to revise any part of this RFP, or if additional information is necessary for a clearer interpretation of provisions of this RFP prior to the due date for proposals, an addendum will be posted on the IDOA website. If such addenda issuance is necessary, the Procurement Division may extend the due date and time of proposals to accommodate such additional information requirements, if required.

1.8 DUE DATE FOR PROPOSALS

All proposals must be received at the address below by the Procurement Division no later than **3:00 p.m. Eastern Time on February 22, 2019**. Each Respondent must submit **one original CD-ROM (marked "Original")** and (3) complete copies **on CD-ROM** of the proposal, including the Transmittal Letter and other related documentation as required in this RFP. The **original** CD-ROM will be considered the official response in evaluating responses for scoring and protest resolution. **The respondent's proposal response on this CD may be posted on the IDOA website, (<http://www.in.gov/idoa/2462.htm>) if recommended for selection.** Each copy of the proposal

must follow the format indicated in Section Two of this document. Unnecessarily elaborate brochures or other presentations, beyond those necessary to present a complete and effective proposal, are not desired. All proposals must be addressed to:

Arthur L. Sample IV
Indiana Department of Administration
Procurement Division
402 West Washington Street, Room W468
Indianapolis, IN 46204

If you hand-deliver solicitation responses:

To facilitate weapons restrictions at Indiana Government Center North and Indiana Government Center South, as of **July 21, 2008**, the public must enter IGC buildings through a designated public entrance. The public entrance to Indiana Government Center South is located at 10 N. Senate Avenue (East side of building). This entrance will be equipped with metal detectors and screening devices monitored by Indiana State Police Capitol Police.

Passing through the public entrance may take some time. Please be sure to take this information into consideration if your company plans to submit a solicitation response in person.

If you ship or mail solicitation responses: United States Postal Express and Certified Mail are both delivered to the Government Center Central Mailroom, and not directly to the Procurement Division. It is the responsibility of the Respondent to make sure that solicitation responses are received by the Procurement Division at the Department of Administration's reception desk on or before the designated time and date. Late submissions will not be accepted. The Department of Administration, Procurement Division clock is the official time for all solicitation submissions.

Regardless of delivery method, all proposal packages must be **sealed** and clearly marked with the RFP number, due date, and time due. IDOA will not accept any unsealed bids. Any proposal received by the Department of Administration, Procurement Division after the due date and time will not be considered. Any late proposals will be returned, unopened, to the Respondent upon request. All rejected proposals not claimed within 30 days of the proposal due date will be destroyed.

No more than one proposal per Respondent may be submitted.

The State accepts no obligations for costs incurred by Respondents in anticipation of being awarded a contract.

1.9 MODIFICATION OR WITHDRAWAL OF OFFERS

Modifications to responses to this RFP may only be made in the manner and format consistent with the submittal of the original response, acceptable to IDOA and clearly identified as a modification.

The Respondent's authorized representative may withdraw the proposal, in person, prior to the due date. Proper documentation and identification will be required before the Procurement Division will release the withdrawn proposal. The authorized representative will be required to sign a receipt for the withdrawn proposal.

Modification to, or withdrawal of, a proposal received by the Procurement Division after the exact hour and date specified for receipt of proposals will not be considered.

1.10 PRICING

Pricing on this RFP must be firm and remain open for a period of not less than 180 days from the proposal due date. Any attempt to manipulate the format of the document, attach caveats to pricing, or submit pricing that deviates from the current format will put your proposal at risk.

Please refer to the Cost Proposal sub-section under Section 2 for a detailed discussion of the proposal pricing format and requirements.

1.11 PROPOSAL CLARIFICATIONS AND DISCUSSIONS, AND CONTRACT DISCUSSIONS

The State reserves the right to request clarifications on proposals submitted to the State. The State also reserves the right to conduct proposal discussions, either oral or written, with Respondents. These discussions could include request for additional information, request for cost or technical proposal revision, etc. Additionally, in conducting discussions, the State may use information derived from proposals submitted by competing respondents only if the identity of the respondent providing the information is not disclosed to others. The State will provide equivalent information to all respondents which have been chosen for discussions. Discussions, along with negotiations with responsible respondents may be conducted for any appropriate purpose.

The Procurement Division will schedule all discussions. Any information gathered through oral discussions must be confirmed in writing.

A sample contract is provided in Attachment B. Any requested changes to the sample contract must be submitted with your response (See Section 2.3.5 for details). The State reserves the right to reject any of these requested changes. It is the State's expectation that any material elements of the contract will be substantially finalized prior to contract award.

1.12 BEST AND FINAL OFFER

The State may request best and final offers from those Respondents determined by the State to be reasonably viable for contract award. However, the State reserves the right to award a contract on the basis of initial proposals received. Therefore, each proposal should contain the Respondent's best terms from a price and technical standpoint.

Following evaluation of the best and final offers, the State may select for final contract negotiations/execution the offers that are most advantageous to the State, considering cost and the evaluation criteria in this RFP.

1.13 REFERENCE SITE VISITS

The State may request a site visit to a Respondent's working support center to aid in the evaluation of the Respondent's proposal. Site visits, if required will be discussed in the technical proposal.

1.14 TYPE AND TERM OF CONTRACT

The State intends to sign a contract with one or more Respondent(s) to fulfill the requirements in this RFP.

The term of the contract shall be for a period of two (2) years from the date of contract execution. There may be two (2) one-year renewals for a total of four (4) years at the State's option.

1.15 CONFIDENTIAL INFORMATION

Respondents are advised that materials contained in proposals are subject to the Access to Public Records Act (APRA), IC 5-14-3 *et seq.*, and, after the contract award, the entire RFP file may be viewed and copied by any member of the public, including news agencies and competitors. Respondents claiming a statutory exception to the APRA must indicate so in the Transmittal Letter. Confidential Information must also be clearly marked in a separate folder on any included CD-ROM. The Respondent must also specify which statutory exception of APRA that applies. The State reserves the right to make determinations of confidentiality. If the Respondent does not identify the statutory exception, the Procurement Division will not consider the submission confidential. If the State does not agree that the information designated is confidential under one of the disclosure exceptions to APRA, it may seek the opinion of the Public Access Counselor. Prices are not confidential information.

1.16 TAXES

Proposals should not include any tax from which the State is exempt.

1.17 PROCUREMENT DIVISION REGISTRATION

In order to receive an award, you must be registered as a bidder with the Department of Administration, Procurement Division. Therefore, to ensure there is no delay in the award all Respondents are strongly encouraged to register prior to submission of their response. Respondents should go to www.in.gov/idoa/2464.htm.

1.18 SECRETARY OF STATE REGISTRATION

If awarded the contract, the Respondent will be required to register, and be in good standing, with the Secretary of State. The registration requirement is applicable to all limited liability partnerships, limited partnerships, corporations, S-corporations, nonprofit corporations and limited liability companies. Information concerning registration with the Secretary of State may be obtained by contacting:

Secretary of State of Indiana
Corporation Division
402 West Washington Street, E018
Indianapolis, IN 46204
(317) 232-6576
www.in.gov/sos

1.19 COMPLIANCE CERTIFICATION

Responses to this RFP serve as a representation that it has no current or outstanding criminal, civil, or enforcement actions initiated by the State, and it agrees that it will immediately notify the State of any such actions. The Respondent also certifies that neither it nor its principals are presently in arrears in payment of its taxes, permit fees or other statutory, regulatory or judicially required payments to the State. The Respondent agrees that the State may confirm, at any time, that no such liabilities exist, and, if such liabilities are discovered, that State may bar the Respondent from contracting with the State, cancel existing contracts, withhold payments to setoff such obligations, and withhold further payments or purchases until the entity is current in its payments on its liability to the State and has submitted proof of such payment to the State.

1.20 EQUAL OPPORTUNITY COMMITMENT

Pursuant to IC 4-13-16.5 and in accordance with 25 IAC 5, Executive Order 13-04 and IC 5-22-14-3.5, it has been determined that there is a reasonable expectation of minority, woman, and Indiana veteran business enterprises subcontracting opportunities on a contract awarded under this RFP. Therefore a contract goal of 8 % for Minority Business Enterprises, 8 % for Woman Business Enterprises, and 3% for Indiana Veteran Owned Small Businesses have been established and all respondents will be expected to comply with the regulation set forth in 25 IAC 5, Executive Order 13-04 and IC 5-22-14-3.5.

Failure to address these requirements may impact the evaluation of your proposal.

1.21 MINORITY & WOMEN'S BUSINESS ENTERPRISES RFP SUBCONTRACTOR COMMITMENT (MWBE)

In accordance with 25 IAC 5-5, the respondent is expected to submit with its proposal a Minority & Women's Business Enterprises RFP Subcontractor Commitment Form. The Form must show that there are, participating in the proposed contract, Minority Business Enterprises (MBE) and Women Business Enterprises (WBE) listed in the Minority and Women's Business Enterprises Division (MWBED) directory of certified firms located at <http://www.in.gov/idoa/2352.htm>.

If participation is met through use of vendors who supply products and/or services directly to the Respondent, the Respondent must provide a description of products and/or services provided that are directly related to this proposal and the cost of direct supplies for this proposal. For contract with no state dollars committed, the Respondent is expected to submit M/WBE subcontractor participation percentages based on the cost proposal amount. Respondents must complete the Subcontractor Commitment Form in its entirety. The amount entered in "**TOTAL BID AMOUNT**" should match the amount entered in the Attachment D, Cost Proposal Template.

Failure to meet these goals will affect the evaluation of your Proposal. The Department reserves the right to verify all information included on the M/WBE Subcontractor Commitment Form.

Prime Contractors must ensure that the proposed subcontractors meet the following criteria:

- Must be listed on the IDOA Directory of Certified Firms, **on or before** the proposal due date.
- Prime Contractor must include with their proposal the subcontractor's M/WBE Certification Letter provided by IDOA, to show current status of certification.
- Each firm may only serve as one classification – MBE, WBE, or IVOSB (see section 1.22)
- A Prime Contractor who is an MBE or WBE must meet subcontractor goals by using other listed certified firms. Certified Prime Contractors cannot count their own workforce or companies to meet this requirement.
- **Must serve a Valuable Scope Contribution (VSC). The firm must serve a value-added purpose on the engagement, as confirmed by the State.**
- Must provide goods or service only in the industry area for which it is certified as listed in the directory at <http://www.in.gov/idoa/2352.htm>.
- Must be used to provide the goods or services specific to the contract.
- National Diversity Plans are generally not acceptable.

MINORITY & WOMEN'S BUSINESS ENTERPRISES RFP SUBCONTRACTOR LETTER OF COMMITMENT (M/WBE)

A signed letter(s), on company letterhead, from the MBE and/or WBE must accompany the MWBE Subcontractor Commitment Form. Each letter shall state and will serve as acknowledgement from the MBE and/or WBE of its subcontract amount, a description of products and/or services to be provided on this project, and approximate date the subcontractor will perform work on this contract. The MBE and/or WBE subcontractor amount and subcontractor percentage is only based on the initial term of the contract, unless the products and/or services are needed beyond the initial term. Any products and/or services desired after the initial term will require separate negotiations between the prime contractor and subcontractor. The State may deny evaluation points if the letter(s) is not attached, not on company letterhead, not signed and/or does not reference and match the subcontract amount, subcontract amount as a percentage of the **“TOTAL BID AMOUNT”** and the anticipated period that the Subcontractor will perform work for this solicitation.

By submission of the Proposal, the Respondent acknowledges and agrees to be bound by the regulatory processes involving the State's M/WBE Program. Questions involving the regulations governing the M/WBE Subcontractor Commitment Form should be directed to: Minority and Women's Business Enterprises Division at (317) 232-3061 or <http://www.in.gov/idoa/2352.htm>.

MINORITY & WOMEN'S BUSINESS COMPLIANCE (M/WBE)

Option 1 if initial contract term is 1 year or less - If awarded the contract with M/WBE subcontractor participation, the Respondent shall report payments made to the M/WBE subcontractors on a monthly basis using the format required by the M/WBE Division. M/WBE subcontractor participation reports must be received on or before the 10th of each month via email to MWBECompliance@idoa.IN.gov.

Option 2 if initial contract term is greater than 1 year - If awarded the contract with M/WBE subcontractor participation, the Respondent shall report payments made to the M/WBE

subcontractors on a quarterly basis using the format required by the M/WBE Division. M/WBE subcontractor participation reports must be received on or before the 10th of each month via email to MWBECompliance@idoa.IN.gov.

Further, a copy of each subcontractor agreement must be submitted to IDOA's M/WBE Division within thirty (30) days of the effective date of this Contract. The contracts may be emailed to MWBECompliance@idoa.IN.gov or mailed to MWBE Compliance 402 W. Washington Street, Indianapolis IN 46204. Failure to provide a copy of any subcontractor agreement or failure to meet these commitments could be considered a material breach of the contract and result in sanctions per 25 IAC 5.

Any changes to this information during the term of the contract must be approved by MWBE Compliance at MWBECompliance@idoa.IN.gov.

1.22 INDIANA VETERAN OWNED SMALL BUSINESS SUBCONTRACTOR COMMITMENT (IVOSB)

In accordance with Executive Order 13-04 and IC 5-22-14-3.5, it has been determined that there is a reasonable expectation of Indiana Veteran Owned Small Business subcontracting opportunities on a contract awarded under this RFP. The IVOSB Subcontractor Commitment Form is to be submitted alongside the Respondent's proposal. The Form must show that they are participating in the proposed contract and IVOSB firms that meet the requirements listed at the Veteran's Business Program website (<http://www.in.gov/idoa/2862.htm>).

If participation is met through use of vendors who supply products and/or services directly to the Respondent, the Respondent must provide a description of products and/or services provided that are directly related to this proposal and the cost of direct supplies for this proposal. For contract with no state dollars committed, the Respondent is expected to submit IVOSB subcontractor participation percentages based on the cost proposal amount. Respondents must complete the Subcontractor Commitment Form in its entirety. The amount entered in "**TOTAL BID AMOUNT**" should match the amount entered in the Attachment D, Cost Proposal Template.

If the vendor responding to the RFP is an IVOSB certified entity, the letter confirming same should be submitted with their response. IDOA will verify the certification but will not check for it. Therefore the responding vendor has the responsibility to alert IDOA of their certification. The IVOSB respondent will receive the total points for the IVOSB evaluation criteria per section 3.2.7. Additional ISVOB subcontractors must be included if the IVOSB respondent is seeking the additional bonus point.

The IVOSB respondent must list their **company contact information only** on the IVOSB Subcontractor Commitment Form.

Failure to address these goals may impact the evaluation of your Proposal. The Department reserves the right to verify all information included on the IVOSB Subcontractor Commitment Form.

Prime Contractors must ensure that the proposed IVOSB subcontractors meet the following criteria:

- Must be listed on Federal Center for Veterans Business Enterprise (VA OSDDBU) registry or listed on the IDOA Directory of Certified Firms, **on or before** the proposal due date
- Prime Contractor must include with their proposal the subcontractor's veteran business Certification Letter provided by either IDOA or Federal Govt. (VA OSDDBU), to show current status of certification.
- Each firm may only serve as one classification – MBE, WBE (see Section 1.21) or IVOSB
- IVOSB must have a Bidder ID (see section 2.3.7 - Department of Administration, Procurement Division)
- A Prime Contractor who is an IVOSB can count their own workforce or companies to meet this requirement.
- **Must serve a Valuable Scope Contribution (VSC). The firm must serve a value-added purpose on the engagement, as confirmed by the State.**
- Must provide goods or service only in the industry area for which it is certified as listed in the VA OSDDBU or IDOA Certified Firm directories <http://www.in.gov/idoa/2352.htm>
- Must be used to provide the goods or services specific to the contract

INDIANA VETERAN OWNED SMALL BUSINESS RFP SUBCONTRACTOR LETTER OF COMMITMENT

A signed letter(s), on company letterhead, from the IVOSB must accompany the IVOSB Subcontractor Commitment Form. Each letter shall state and will serve as acknowledgement from the IVOSB of its subcontract amount, a description of products and/or services to be provided on this project, and approximate date the subcontractor will perform work on this contract. The State reserves the right to deny evaluation points if the letter(s) is not attached. The State may deny evaluation points if the letter(s) is not attached, not on company letterhead, not signed and/or does not reference and match the subcontract amount, subcontract amount as a percentage of the **“TOTAL BID AMOUNT”** and the anticipated period that the Subcontractor will perform work for this solicitation.

By submission of the Proposal, the Respondent acknowledges and agrees to be bound by the policies and processes involving the State's IVOSB Program. Questions involving the regulations governing the IVOSB Subcontractor Commitment Form should be directed to: indianaveteranspreference@idoa.in.gov.

INDIANA VETERAN OWNED SMALL BUSINESS COMPLIANCE (IVOSB)

Option if initial contract term is 1 year or less - If awarded the contract with IVOSB subcontractor participation, the Respondent shall report payments made to the IVOSB subcontractors on a monthly basis using the format required by the M/WBE Division. IVOSB subcontractor participation reports must be received on or before the 10th of each month via email to indianaveteranspreference@idoa.in.gov.

Option if initial contract term is greater than 1 year - If awarded the contract with IVOSB subcontractor participation, the Respondent shall report payments made to the IVOSB subcontractors on a quarterly basis using the format required by the M/WBE Division. IVOSB subcontractor participation reports must be received on or before the 10th of each month via email

to indianaveteranspreference@idoa.in.gov.

Further, a copy of each subcontractor agreement must be submitted to IDOA's M/WBE Division within thirty (30) days of the effective date of this Contract. The contracts may be emailed to MWBECompliance@idoa.IN.gov or mailed to MWBE Compliance 402 W. Washington Street, Indianapolis IN 46204. Failure to provide a copy of any subcontractor agreement or failure to meet these commitments could be considered a material breach of the contract and result in sanctions per 25 IAC 5.

Any changes to this information during the term of the contract must be approved by MWBE Compliance at MWBECompliance@idoa.IN.gov.

1.23 AMERICANS WITH DISABILITIES ACT

The Respondent specifically agrees to comply with the provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et seq.* and 47 U.S.C. 225).

1.24 SUMMARY OF MILESTONES

The following timeline is only an illustration of the RFP process. The dates associated with each step are not to be considered binding. Due to the unpredictable nature of the evaluation period, these dates are commonly subject to change. At the conclusion of the evaluation process, all Respondents will be informed of the evaluation team's findings.

Key RFP Dates (IDOA will assist the agency on filling in these dates; you may leave these all blank)

| Activity | Date |
|---|------------------------------|
| Issue of RFP | January 9, 2019 |
| Pre-Proposal Conference | January 16, 2019 at 1:30 PM |
| Deadline to Submit Written Questions | January 23, 2019 by 3:00 PM |
| Response to Written Questions/RFP Amendments | January 30, 2019 |
| Submission of Proposals | February 22, 2019 by 3:00 PM |
| <i>The dates for the following activities are target dates only. These activities may be completed earlier or later than the date shown.</i> | |
| Proposal Evaluation | TBD |
| Proposal Discussions/Clarifications (if necessary) | TBD |
| Oral Presentations (if necessary) | TBD |
| Best and Final Offers (if necessary) | TBD |
| RFP Award Recommendation | TBD |

1.25 Not Applicable

1.26 CONFLICT OF INTEREST

Any person, firm or entity that assisted with and/or participated in the preparation of this RFP document is prohibited from submitting a proposal to this specific RFP. For the purposes of this RFP “person” means a state officer, employee, special state appointee, or any individual or entity working with or advising the State or involved in the preparation of this RFP proposal. This prohibition would also apply to an entity who hires, within a one-year period prior to the publication of this RFP, a person that assisted with and/or participated in the preparation of this RFP.

SECTION TWO PROPOSAL PREPARATION INSTRUCTIONS

2.1 GENERAL

To facilitate the timely evaluation of proposals, a standard format for proposal submission has been developed and is described in this section. All Respondents are required to format their proposals in a manner consistent with the guidelines described below:

- Each item must be addressed in the Respondent's proposal.
- The Transmittal Letter must be in the form of a letter. The business and technical proposals must be organized under the specific section titles as listed below.
- The electronic copies of the proposal submitted via CD-ROM should be organized to mirror the sections below and the attachments.
- Each item, i.e. Transmittal Letter, Business Proposal, Technical Proposal, Cost Proposal, etc., must be separate standalone electronic files on the CD-ROM. Please do not submit your proposal as one large file.
- Whenever possible, please submit all attachments in their original format.
- Confidential Information must also be clearly marked in a separate folder/file on any included CD-ROM.

2.2 TRANSMITTAL LETTER

The Transmittal Letter must address the following topics except those specifically identified as "optional."

2.2.1 Agreement with Requirement listed in Section 1

The Respondent must explicitly acknowledge understanding of the general information presented in Section 1 and agreement with any requirements/conditions listed in Section 1.

2.2.2 Summary of Ability and Desire to Supply the Required Products or Services

The Transmittal Letter must briefly summarize the Respondent's ability to supply the requested products and/or services that meet the requirements defined in Section 2.4 of this RFP. The letter must also contain a statement indicating the Respondent's willingness to provide the requested products and/or services subject to the terms and conditions set forth in the RFP including, but not limited to, the State's mandatory contract clauses.

2.2.3 Signature of Authorized Representative

A person authorized to commit the Respondent to its representations and who can certify that the information offered in the proposal meets all general conditions including the information requested in Section 2.3.4, must sign the Transmittal Letter. **In the Transmittal Letter, please indicate the principal contact for the proposal along with an address, telephone and fax number as well as an e-**

mail address, if that contact is different than the individual authorized for signature.

2.2.4 Respondent Notification

Unless otherwise indicated in the Transmittal Letter, Respondents will be notified via e-mail.

It is the Respondent's obligation to notify the Procurement Division of any changes in any address that may have occurred since the origination of this solicitation. The Procurement Division will not be held responsible for incorrect vendor/contractor addresses.

2.2.5 Confidential Information

Respondents are advised that materials contained in proposals are subject to the Access to Public Records Act (APRA), IC 5-14-3 *et seq.* (see section 1.16).

Provide the following information:

- List all documents where claiming a statutory exemption to the APRA;
- Specify which statutory exception of APRA that applies for each document;
- Provide a description explaining the manner in which the statutory exception to the APRA applies for each document.

2.2.6 Other Information

This item is optional. Any other information the Respondent may wish to briefly summarize will be acceptable.

2.3 BUSINESS PROPOSAL

The Business Proposal must address the following topics except those specifically identified as "optional." **The Business Proposal Template is Attachment E.**

2.3.1 General (optional)

This section of the business proposal may be used to introduce or summarize any information the Respondent deems relevant or important to the State's successful acquisition of the products and/or services requested in this RFP.

2.3.2 Respondent's Company Structure

The legal form of the Respondent's business organization, the state in which formed (accompanied by a certificate of authority), the types of business ventures in which the organization is involved, and a chart of the organization are to be included in this section. If the organization includes more than one product division, the division responsible for the development and marketing of the requested products and/or

services in the United States must be described in more detail than other components of the organization.

2.3.3 Company Financial Information

This section must include the Respondent's financial statement, including an income statement and balance sheet, for each of the two most recently completed fiscal years. The financial statements must demonstrate the Respondent's financial stability. If the financial statements being provided by the Respondent are those of a parent or holding company, additional financial information should be provided for the entity/organization directly responding to this RFP.

2.3.4 Integrity of Company Structure and Financial Reporting

This section must include a statement indicating that the CEO and/or CFO has taken personal responsibility for the thoroughness and correctness of any/all financial information supplied with this proposal. The particular areas of interest to the State in considering corporate responsibility include the following items: separation of audit functions from corporate boards and board members, if any, the manner in which the organization assures board integrity, and the separation of audit functions and consulting services. The State will consider the information offered in this section to determine the responsibility of the Respondent under IC 5-22-16-1(d).

The Sarbanes Oxley Act of 2002, H.R. 3763, is NOT directly applicable to this procurement; however, its goals and objectives may be used as a guide in the determination of corporate responsibility for financial reports.

2.3.5 Contract Terms/Clauses

A sample contract that the state expects to execute with the successful Respondent(s) is provided in Attachment B. This contract contains both mandatory and non-mandatory clauses. Mandatory clauses are listed below and are non-negotiable. Other clauses are highly desirable. It is the State's expectation that the final contract will be substantially similar to the sample contract provided in Attachment B.

In your Transmittal Letter please indicate acceptance of these mandatory contract terms (see section 2.2.2). In this section please review the rest of the contract and indicate your acceptance of the non-mandatory contract clauses. If a non-mandatory clause is not acceptable as worded, suggest specific alternative wording to address issues raised by the specific clause. If you require additional contract terms please include them in this section. To reiterate it's the State's strong desire to not deviate from the contract provided in the attachment and as such the State reserves the right to reject any and all of these requested changes.

The mandatory contract terms are as follows:

- Duties of Contractor, Rate of Pay, and Term of Contract
- Authority to Bind Contractor
- Compliance with Laws
- Drug-Free Workplace Provision and Certification
- Employment Eligibility
- Funding Cancellation
- Governing Laws
- Indemnification
- Information Technology
- Non-Discrimination Clause
- Ownership of Documents and Materials
- Payments
- Penalties/Interest/Attorney's Fees
- Termination for Convenience
- Non-Collusion and Acceptance

Any or all portions of this RFP and any or all portions of the Respondents response may be incorporated as part of the final contract

2.3.6 References

The Respondent must include a list of at least three (3) clients for whom the Respondent has provided products and/or services that are the same or similar to those products and/or services requested in this RFP. Information provided should include the name, address, and telephone number of the client facility and the name, title, and phone/fax numbers of a person who may be contacted for further information.

2.3.7 Registration to do Business

Secretary of State

If awarded the contract, the Respondent will be required to be registered, and be in good standing, with the Secretary of State. The registration requirement is applicable to all limited liability partnerships, limited partnerships, corporations, S-corporations, nonprofit corporations and limited liability companies. The Respondent must indicate the status of registration, if applicable, in this section of the proposal.

Department of Administration, Procurement Division

Additionally, respondents must be registered with the IDOA. This can be accomplished on-line at <http://www.in.gov/idoa/2464.htm>.

The IDOA Procurement Division maintains two databases of vendor information. The Bidder registration database is set up for vendors to register if you are interested in selling a product or service to the State of Indiana. Respondents may register on-line at no cost to become a Bidder with the State of Indiana. To complete the on-

line Bidder registration, go to <http://www.in.gov/idoa/2464.htm>. The Bidder registration offers email notification of upcoming solicitation opportunities, corresponding to the Bidder's area(s) of interest, selected during the registration process. Respondents do need to be registered to bid on and receive email notifications. Completion of the Bidder registration will result in your name being added to the Bidder's Database, for email notification. The Bidder registration requires some general business information, an indication of the types of goods and services you can offer the State of Indiana, and locations(s) within the state that you can supply or service. There is no fee to be placed in Procurement Division's Bidder Database. To receive an award, you must be registered as a bidder. Problems or questions concerning the registration process or the registration form can be e-mailed to Amey Redding, Vendor Registration Coordinator, aredding@idoa.in.gov, or you may reach her by phone at (317) 234-3542.

IVOSB entities (whether a prime or subcontractor) must have a bidder ID. If registered with IDOA, this should have already been provided (as with MWBEs). IVOSBs that are only registered with the Federal Center for Veterans Business Enterprise will need to ensure that they also have a Bidder ID provided by IDOA.

2.3.8 Authorizing Document

Respondent personnel signing the Transmittal Letter of the proposal must be legally authorized by the organization to commit the organization contractually. This section shall contain proof of such authority. A copy of corporate bylaws or a corporate resolution adopted by the board of directors indicating this authority will fulfill this requirement.

2.3.9 Subcontractors

The Respondent is responsible for the performance of any obligations that may result from this RFP, and shall not be relieved by the non-performance of any subcontractor. Any Respondent's proposal must identify all subcontractors and describe the contractual relationship between the Respondent and each subcontractor. Either a copy of the executed subcontract or a letter of agreement over the official signature of the firms involved must accompany each proposal.

Any subcontracts entered into by the Respondent must be in compliance with all State statutes, and will be subject to the provisions thereof. For each portion of the proposed products or services to be provided by a subcontractor, the technical proposal must include the identification of the functions to be provided by the subcontractor and the subcontractor's related qualifications and experience.

The combined qualifications and experience of the Respondent and any or all subcontractors will be considered in the State's evaluation. The Respondent must furnish information to the State as to the amount of the subcontract, the qualifications of the subcontractor for guaranteeing performance, and any other data that may be required by the State. All subcontracts held by the Respondent must be

made available upon request for inspection and examination by appropriate State officials, and such relationships must meet with the approval of the State.

The Respondent must list any subcontractor's name, address and the state in which formed that are proposed to be used in providing the required products or services. The subcontractor's responsibilities under the proposal, anticipated dollar amount for subcontract, the subcontractor's form of organization, and an indication from the subcontractor of a willingness to carry out these responsibilities are to be included for each subcontractor. This assurance in no way relieves the Respondent of any responsibilities in responding to this RFP or in completing the commitments documented in the proposal. The Respondent must indicate which, if any, subcontractors qualify as a Minority, Women, or Veteran Owned Business under IC 4-13-16.5-1 and Executive Order 13-04 and IC 5-22-14-3.5. See Sections 1.21, 1.22 and Attachments A/A1 for Minority, Women, and Veteran Business information.

IVOSB entities (whether a prime or subcontractor) must have a bidder ID. If registered with IDOA, this should have already been provided (as with MWBEs). IVOSBs that are only registered with the Federal Center for Veterans Business Enterprise will need to ensure that they also have a Bidder ID provided by IDOA (please see section 2.3.7, Department of Administration, Procurement Division for details).

2.3.10 Evidence of Financial Responsibility

Not Applicable

2.3.11 General Information

Each Respondent must enter your company's general information including contact information.

2.3.12 Experience Serving State Governments

Each Respondent is asked to please provide a brief description of your company's experience in serving state governments and/or quasi-governmental accounts.

2.3.13 Experience Serving Similar Clients

Each Respondent is asked to please describe your company's experience in serving clients of a similar size to the State that also had a similar scope. Please provide specific clients and detailed examples.

2.3.14 Indiana Preferences

Pursuant to IC 5-22-15-7, Respondent may claim only one (1) preference. For the purposes of this RFP, this limitation to claiming one (1) preference applies to Respondent's ability to claim eligibility for Buy Indiana points. **Respondent must clearly indicate which preference(s) they intend to claim. Additionally, the**

Respondent's Buy Indiana status must be finalized when the RFP response is submitted to the State.

Buy Indiana

Refer to Section 2.7 for additional information.

2.3.15 Payment

Not Applicable

2.4 TECHNICAL PROPOSAL

The Technical Proposal must be divided into the sections as described below. Every point made in each section must be addressed in the order given. The same outline numbers must be used in the response. RFP language should not be repeated within the response. Where appropriate, supporting documentation may be referenced by a page and paragraph number. However, when this is done, the body of the technical proposal must contain a meaningful summary of the referenced material. The referenced document must be included as an appendix to the technical proposal with referenced sections clearly marked. If there are multiple references or multiple documents, these must be listed and organized for ease of use by the State. **The Technical Proposal Template is Attachment F.**

2.4.1 Mandatory Requirements. **Please answer “yes” or “no.”** If any question under section 2.4.1 is answered “no”, evaluation of the proposal will end and the proposal will no longer be considered for award.

- 2.4.1.1 Confirm that for the duration of its contract, respondent and Affiliate thereof, shall: (1) promptly disclose to the Executive Director, any contract with or services provided to a Supplier Licensee; (2) gain advance approval from the Executive Director before contracting with or providing services to any Casino Licensee; and (3) at all times maintain a level of independence that is adequate to conduct Certification Testing on behalf of the IGC, free of any conflicts of interest as determined by the Executive Director.
- 2.4.1.2 Confirm that during the duration of its contract with the State, respondent, and any Affiliate thereof, shall: (1) not knowingly conduct Noncertification Testing on items or technologies that have already undergone Noncertification Testing by a different Authorized Independent Gaming Laboratory; and (2) develop and implement reasonable procedures to ensure the same.
- 2.4.1.3 Confirm that Respondent's agents, employees, and any potential subcontractors meet the criteria outlined in Ind. Code 4-33-7-3 and 68 IAC 2-2-5.3(a). Respondent(s) selected for the contract will not be licensed.
- 2.4.1.4 Confirm that Respondent has provided Certification Testing services, or a substantial equivalent, for at least two (2) gaming regulatory agencies in jurisdictions with commercial casinos since January 1, 2007.

- 2.4.1..5 Will Respondent provide a complete list of state gaming regulatory agencies in jurisdictions with commercial casinos that Respondent or any of Respondents' Affiliates have contracted with or provided services to since January 1, 2007? If yes, please include the list as a separate attachment. Include dates of the contracts and/or services and a brief description of the scope of work for each.
- 2.4.1..6 Will Respondent maintain a comprehensive, current, and accurate database of items and technologies that have been the subject of Certification Testing by the Vendor? Database should be capable of tracking which items and technologies are or are not ultimately approved for use in Indiana by the IGC.
- 2.4.1..7 Will Respondent provide proof that respondent's United States laboratories maintain current International Organization for Standardization (ISO) 17020 and 17025 certification? If yes, please include the documentation as a separate attachment
- 2.4.1..8 Confirm that respondent is willing and able to provide IGC staff, upon request, with a complete explanation of any of the Respondent's technical standards, test scripts, and/or Certification Testing results at no charge to the IGC.
- 2.4.1..9 Confirm that respondent is willing to undergo continuous accuracy and effectiveness monitoring and evaluation by the IGC if deemed necessary by the Executive Director, and that respondent will provide all related documents and information to IGC staff upon request.
- 2.4.1..10 Confirm that respondent takes steps to ensure the integrity of reports and certification standards including a requirement that respondent's test reports, inspection reports, or certification reports completed by a third party may only occur under a valid subcontractor agreement preapproved by the IGC.
- 2.4.2 General Information
 - 2.4.2..1 Respondent's legal name, address, e-mail, phone and fax number, and year of establishment.
 - 2.4.2..2 Provide a history of the company.
 - 2.4.2..3 Provide a summary of the professional experience of each company owner.
 - 2.4.2..4 Provide the number of staff members employed by the company, by division or department, along with the resume of each employee who will directly manage or supervise tasks associated with this contract and a summary of the work it is anticipated each manager/supervisor will perform. Include an organizational chart identifying: (1) the name(s) and title(s) of such management/supervisory staff; (2) the title and number of all positions that directly or indirectly report to each; and (3) a delineation of distinct operating divisions within the company.
 - 2.4.2..5 Provide an explanation of the human and other resources Respondent possesses in the disciplines of: mathematics; engineering (e.g., mechanical, electrical, software); gaming/accounting systems and communication protocols; compliance and quality assurance; and field inspections. Include an explanation of company policies and procedures

- in place to ensure independent work product verification as well as a description of Respondent's quality assurance staff.
- 2.4.2..6 Provide a complete explanation of any internal policies and procedures that Respondent currently uses to track and measure both the accuracy and the effectiveness of Respondent's technical standards and test scripts.
- 2.4.3 Experience
- 2.4.3..1 Provide a comprehensive list of independent technical standards that Respondent has independently developed and would anticipate using to perform Certification Testing in compliance with Indiana laws (specifically 68 IAC 2-6 and 68 IAC 2-6.5) and the Scope of Work section of this RFP. Include complete copies of at least two (2) such technical standards.
- 2.4.3..2 Provide a minimum of three (3) examples to demonstrate Respondent's ability to report/communicate results of Certification Testing to a regulatory agency. Please include a list of all regulatory agencies for whom the Respondent has completed such reports since January 1, 2010.
- 2.4.3..3 Provide a minimum of three (3) examples to demonstrate Respondent's ability to independently develop specific test scripts in order to determine whether an item or technology comports with technical standards used by the Respondent. Include complete copies of each example test script.
- 2.4.3..4 Provide evidence of the Respondent's ability to test and certify items or technologies for compliance with interoperability standards/protocols adopted by the Gaming Standards Association (GSA).
- 2.4.3..5 Provide evidence of the Respondent's experience with and ability to conduct: (1) source code analysis/testing, and (2) ongoing output-based total game transaction review testing. Please include a brief statement explaining Respondent's views about the circumstances under which each type of testing is most appropriate and whether Respondent has any current internal policies and/or practices relating to same.
- 2.4.3..6 Describe the company's continuing efforts to maintain current knowledge and understanding of gaming industry trends relevant to Certification Testing and the gaming regulatory environment in general. Include a description of any continuing education and/or professional certification requirements Respondent has put in place for employees who would perform functions under the Scope of Work section of this RFP.
- 2.4.4 Resources
- 2.4.4..1 Describe the facilities and equipment that will be utilized and/or available in the performance of tasks for the IGC.
- 2.4.4..2 Demonstrate Respondent's ability to ensure that it provides the IGC with Certification Testing results/reports *only* for items and technologies specifically requested by the IGC and/or a Casino Licensee for use at an Indiana casino.
- 2.4.4..3 Demonstrate Respondent's ability to develop and maintain a perpetual catalog of items and technologies that have been the subject of Certification Testing by Respondent. Include information on whether

and how the database can be designed to: (1) track which items and technologies are ultimately approved by the IGC for use in Indiana; and (2) be securely and remotely accessed by IGC staff and/or other third party licensees (as directed and approved by the IGC). Include details about any measures in place to ensure security of data storage and minimize risk of data loss.

2.4.4..4 Demonstrate Respondent's ability to independently develop, maintain, and utilize up-to-date technical standards for any and all items and technologies requiring Certification Testing and ultimate IGC approval under 68 IAC 2-6 and 68 IAC 2-6.5.

2.4.4..5 Demonstrate Respondent's ability to independently develop, maintain, and utilize up-to-date test scripts to accurately determine whether an item or technology comports with technical standards adopted by the Vendor as well as applicable Indiana laws and regulations.

2.4.5 Finance

2.4.5..1 Describe the Respondent's method of handling accounts as well as its willingness and ability to directly bill a Supplier Licensee for Certification Testing, as required by contract.

2.4.6 Investigation

2.4.6..1 Respondent must state/provide its willingness to submit to a full investigation, if selected, of the Respondent and any individual deemed by the IGC to be a key person or substantial owner of the Respondent.

2.5 COST PROPOSAL

The Cost Proposal Template is Attachment D.

Spending under this contract will be directly dependent on IGC licensee demand for certifications. In aggregate, spending under this contract is estimated to be \$250,000 to \$750,000 over the life of the contract. Since this number is based on past usage and may fluctuate up or down, the State is not in a position to guarantee that future spending will be at these levels. Nevertheless, this amount is provided as an aid to suppliers in responding to this RFP.

Respondent must provide: (1) a cost per hour for Laboratory Testing & Certification; (2) a cost per test for Random Number Generator Testing, and; (3) a cost per hour for Travel associated with the Laboratory Testing & Certification. Please use the Cost Proposal Template (Attachment D) to submit Respondent's pricing to the State.

When completing the Minority and Women's Business Enterprises Participation Plan Form (Attachment A), the Indiana Economic Impact Form (Attachment C) and IVBE Participation Plan Form (Attachment A1) please use the Total Bid Amount from the Cost Proposal (Attachment D).

If Respondent enters into other contracts for like services on more favorable terms, Respondent must make those terms available to the State.

The Cost Proposal must be submitted in the original format. Any attempt to manipulate the format of the Cost Proposal document, attach caveats to pricing, or submit pricing that deviates from the current format will put your proposal at risk.

Cost Proposal Narrative

The Respondent should provide a brief narrative (not longer than two pages) in support of each Cost Proposal item. The narrative should be focused on clarifying how the proposed prices correspond directly to the Respondent's Technical Proposal. For example, evaluators will expect detailed explanation of *Maintenance and Support* to correspond to *Maintenance and Support items* if described in the Technical Proposal. **Please compose and return this document in a Microsoft Word format.**

Cost Assumptions, Conditions and Constraints

The respondent should list and describe as part of its Cost Proposal any special cost assumptions, conditions, and/or constraints relative to, or which impact, the prices presented on the Cost Schedules. It is of particular importance to describe any assumptions made by the respondent in the development of the respondent's Technical Proposal that have a material impact on price. It is in the best interest of the respondent to make explicit the assumptions, conditions, and/or constraints that underlie the values presented on the Cost Schedules. Assumptions, conditions or constraints that conflict with the RFP requirements are not acceptable. **Please compose and return this document in a Microsoft Word format.**

2.6 INDIANA ECONOMIC IMPACT

All companies desiring to do business with state agencies must complete an "Indiana Economic Impact" form (Attachment C). The collection and recognition of the information collected with the Indiana Economic Impact form places a strong emphasis on the economic impact a project will have on Indiana and its residents regardless of where a business is located. The collection of this information does not restrict any company or firm from doing business with the state. The amount entered in Line 16 "Total amount of this proposal, bid, or current contract" should match the amount entered in the Attachment D, Cost Proposal Template.

2.7 BUY INDIANA INITIATIVE/INDIANA COMPANY

It is the Respondent's responsibility to confirm its Buy Indiana status for this portion of the process. If a Respondent has previously registered its business with IDOA, go to <http://www.in.gov/idoa/2464.htm> and click on the link to update this registration. Click the tab titled Buy Indiana. Select the appropriate category for your business. Respondents may only select one category. Certify this selection by clicking the check box next to the certification paragraph. Once this is complete, save your selection and exit your account.

Respondents that have not previously registered with IDOA must go to <http://www.in.gov/idoa/2464.htm> and click on the link to register. During the registration process, follow the steps outlined in the paragraph above to certify your business' status. The registration process should be complete at the time of proposal submission.

Respondent must clearly indicate which preference(s) they intend to claim in the Business Proposal, Attachment E, section 2.3.14 (Respondent will only be evaluated on the criteria selected/cited from IC 5-22-15-20.5).

Additionally, Respondents that wish to claim the Buy Indiana preference (for any criteria listed below) must have an email confirmation of their Buy Indiana status provided by buyindianainvest@idoa.in.gov included in the proposal response. The email confirmation must have been provided from within one year prior to the proposal due date.

Respondents must also fully complete the Indiana Economic Impact form (Attachment C) and include it with their proposal response.

Defining an Indiana Business:

“Indiana business” refers to any of the following:

- (1) A business whose principal place of business is located in Indiana.
- (2) A business that pays a majority of its payroll (in dollar volume) to residents of Indiana.
- (3) A business that employs Indiana residents as a majority of its employees.
- (4) A business that makes significant capital investments in Indiana.
- (5) A business that has a substantial positive economic impact on Indiana.

Substantial Capital Investment:

Any company that can demonstrate a minimum capital investment in Indiana of \$5 million or more in plant and/or equipment or annual lease payments in Indiana of \$2.5 million or more shall qualify as an Indiana business under I.C.5-22-15-20.5 (b)(4).

Substantial Indiana Economic Impact:

Any company that is in the top 500 companies (adjusted) for one of the following categories: number of employees (DWD), unemployment taxes (DWD), payroll withholding taxes (DOR), or Corporate Income Taxes (DOR); it shall qualify as an Indiana business under I.C. 5-22-15-20.5 (b)(5).

SECTION THREE PROPOSAL EVALUATION

3.1 PROPOSAL EVALUATION PROCEDURE

The State has selected a group of personnel to act as a proposal evaluation team. Subgroups of this team, consisting of one or more team members, will be responsible for evaluating proposals with regard to compliance with RFP requirements. All evaluation personnel will use the evaluation criteria stated in Section 3.2. The Commissioner of IDOA or their designee will, in the exercise of their sole discretion, determine which proposals offer the best means of servicing the interests of the State. The exercise of this discretion will be final.

The procedure for evaluating the proposals against the evaluation criteria will be as follows:

- 3.1.1 Each proposal will be evaluated for adherence to requirements on a pass/fail basis. Proposals that are incomplete or otherwise do not conform to proposal submission requirements may be eliminated from consideration.
- 3.1.2 Each proposal will be evaluated on the basis of the categories included in Section 3.2. A point score has been established for each category.
- 3.1.3 If technical proposals are close to equal, greater weight may be given to price.
- 3.1.4 Based on the results of this evaluation, the qualifying proposal determined to be the most advantageous to the State, taking into account all of the evaluation factors, may be selected by IDOA and the IGC for further action, such as contract negotiations. If, however, IDOA and the IGC decide that no proposal is sufficiently advantageous to the State, the State may take whatever further action is deemed necessary to fulfill its needs. If, for any reason, a proposal is selected and it is not possible to consummate a contract with the Respondent, IDOA may begin contract preparation with the next qualified Respondent or determine that no such alternate proposal exists.

3.2 EVALUATION CRITERIA

Proposals will be evaluated based upon the proven ability of the Respondent to satisfy the requirements of the RFP in a cost-effective manner. Each of the evaluation criteria categories is described below with a brief explanation of the basis for evaluation in that category. The points associated with each category are indicated following the category name (total maximum points = 103.) For further information, please reference Section 3.2.3 below. If any one or more of the listed criteria on which the responses to this RFP will be evaluated are found to be inconsistent or incompatible with applicable federal laws, regulations or policies, the specific criterion or criteria will be disregarded and the responses will be evaluated and scored without taking into account such criterion or criteria.

Summary of Evaluation Criteria:

| Criteria | Points |
|---|--|
| 1. Adherence to Mandatory Requirements | Pass/Fail |
| 2. Management Assessment/Quality (Business and Technical Proposal) | 40 available points |
| 3. Cost (Cost Proposal) | 35 available points |
| 4. Indiana Economic Impact | 5 |
| 5. Buy Indiana | 5 |
| 6. Minority Business Enterprise Subcontractor Commitment | 5 (1 bonus point is available, see Section 3.2.6) |
| 7. Women Business Enterprise Subcontractor Commitment | 5 (1 bonus point is available, see Section 3.2.6) |
| 8. Indiana Veteran Business Enterprise (IVOSB) Subcontractor Commitment | 5 (1 bonus point is available, see Section 3.2.7) |
| Total | 100 (103) if bonus awarded) |

All proposals will be evaluated using the following approach.

Step 1

In this step proposals will be evaluated only against Criteria 1 to ensure that they adhere to Mandatory Requirements. Any proposals not meeting the Mandatory Requirements will be disqualified.

Step 2

The proposals that meet the Mandatory Requirements will then be scored based on Criteria 2 and 3 ONLY. This scoring will have a maximum possible score of 75 points with a potential of 5 bonus points if certain criteria are met. All proposals will be ranked on the basis of their combined scores for Criteria 2 and 3 ONLY. This ranking will be used to create a “short list”. Any proposal not making the “short list” will not be considered for any further evaluation.

Step 2 may include one or more rounds of proposal discussions, oral presentations, clarifications, demonstrations, etc. focused on cost and other proposal elements. Step 2 may include a second “short list”.

Step 3

The short-listed proposals will then be evaluated based on all the entire evaluation criteria outlined in the table above.

If the State conducts additional rounds of discussions and a BAFO round which lead to changes in either the technical or cost proposal for the short listed Respondents, their scores will be recomputed.

The section below describes the different evaluation criteria.

3.2.1 Adherence to Requirements – Pass/Fail

Respondents passing this category move to Phase 2 and proposal is evaluated for Management Assessment/Quality and Price.

The following 2 categories cannot exceed 75 points.

3.2.2 Management Assessment/Quality

40 available points

3.2.3 Price

35 available points

Cost scores will then be normalized to one another, based on the lowest cost proposal evaluated. The lowest cost proposal receives a total of 35 points. The normalization formula is as follows:

- $\text{Respondent's Cost Score} = (\text{Lowest Cost Proposal} / \text{Total Cost of Proposal}) \times 35$

3.2.4 Indiana Economic Impact (5 points)

See Section 2.6 for additional information.

The total number of full time equivalent (FTE – please see Section 1.2 for a definition of FTE's) Indiana resident employees for the Respondent's proposal, to execute the scope of work proposed in this RFP, (prime contractor and subcontractors) will be used to evaluate the Respondent's Indiana Economic Impact. Points will be awarded based on a graduated scale. The Respondent with the most Indiana FTEs will be awarded 5 points. Points will then be awarded to the remaining Respondents proportionately. Please see Attachment C, Indiana Economic Impact Form, for more detailed instructions.

3.2.5 Buy Indiana Initiative – 5 points

Respondents qualifying as an Indiana Company as defined in Section 2.7 will receive 5 points in this category.

3.2.6 Minority (5 points) & Women's Business (5 points) Subcontractor Commitment - (10 points).

The following formula will be used to determine points to be awarded based on the

MBE and WBE goals listed in Section 1.20 of this RFP. Scoring is conducted based on an assigned 10-point, plus possible 2 bonus-points, scale (MBE: Possible 5 points + 1 bonus point, WBE: Possible 5 points + 1 bonus Point). Points are assigned for respective MBE participation and WBE participation based upon the BAFO meeting or exceeding the established goals.

If the respondent's commitment percentage is less than the established MBE or WBE goal, the maximum points achieved will be awarded according to the following schedule:

| % | 1% | 2% | 3% | 4% | 5% | 6% | 7% | 8% |
|------|------|------|-------|-----|-------|------|-------|-----|
| Pts. | .625 | 1.25 | 1.875 | 2.5 | 3.125 | 3.75 | 4.375 | 5.0 |

NOTE: Fractional percentages will be rounded up or down to the nearest whole percentage. (e.g. 7.49% will be rounded down to 7% = 4.375 pts., 7.50% will be rounded up to 8% = 5.00 pts.)

If the respondent's commitment percentage is rounded down to 0% for MBE or WBE participation the respondent will receive 0 points.

If the respondent's commitment percentage is 0% for MBE or WBE participation, a deduction of 1 point will be discounted on the respective MBE or WBE score.

The respondent with the greatest applicable VSC participation which exceeds the stated goal for the respective MBE or WBE category will be awarded 6 points (5 points plus 1 bonus point). In cases where there is a tie for the greatest applicable VSC participation and both firms exceed the goal for the respective MBE/WBE category both firms will receive 6 points.

3.2.7 Indiana Veteran Owned Small Business Subcontractor Commitment - (5 points).

The following formula will be used to determine points to be awarded based on the IVOSB goal listed in Section 1.20 of this RFP. Scoring is conducted based on an assigned 5-point, plus possible 1 bonus-point, scale. Points are assigned for IVOSB participation based upon the BAFO meeting or exceeding the established goals.

If the respondent's commitment percentage is less than the established IVOSB goal, the maximum points achieved will be awarded according to the following schedule:

| % | 0% | 0.6% | 1.2% | 1.8% | 2.4% | 3% |
|------|----|------|------|------|------|----|
| Pts. | -1 | 1 | 2 | 3 | 4 | 5 |

NOTE: Fractional points will be awarded based upon a graduated scale between whole points. (e.g. a 0.3% commitment will receive .5 points and a 1.5% commitment will receive 2.5 points)

If the respondent's commitment percentage is 0% for IVOSB participation, a deduction of 1 point will be assessed.

The IVOSB prime respondent commitment will be 3%, and will receive 5 points. Any additional IVOSB subcontractor commitments will be added to the 3%.

The respondent with the greatest applicable VSC participation which exceeds the stated goal for the IVOSB category will be awarded 6 points (5 points plus 1 bonus point). In cases where there is a tie for the greatest applicable VSC participation and both firms exceed the goal for the IVOSB category both firms will receive 6 points.

3.2.8 Qualified State Agency Preference Scoring

When applicable, pursuant to Indiana Code 5-22-13, a qualified state agency submitting a response to this RFP will be awarded preference points for Minority, Women's, and Indiana Veteran Business Enterprise equal the Respondent awarded the highest combined points awarded for such preferences in the scoring of this RFP.

The Commissioner of IDOA or their designee will, in the exercise of their sole discretion, determine which proposal(s) offer the best means of servicing the interests of the State. The exercise of this discretion will be final.